

PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)  
The following application has been submitted to appropriate water in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION FOR BENEFICIAL WATER USE PERMIT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

**OBJECTION DEADLINE: MAY 20, 2016.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 1371 RIMTOP DRIVE, BILLINGS, MT 59105-1978, PHONE: 406-247-4419, .

IF ISSUED, THE RIGHT WILL BE SUBJECT TO PRIOR EXISTING WATER RIGHTS.

**Application Number:** 43Q 30102729

**Owners:** DIAMOND FALLS LLC  
3472 STONE MOUNTAIN CIRCLE  
BILLINGS, MT 59106

**Priority Date:** MAY 14, 2015 at 02:58 P.M.

**Purpose (use):** MULTIPLE DOMESTIC  
LAWN AND GARDEN

**Maximum Flow Rate:** 1,620.00 GPM

**Maximum Volume:** 117.05 AC-FT

**Maximum Acres:** 38.35

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

THE SOURCE IS THE "TERRACE LEVEL 3" ALLUVIAL AQUIFER, UP TO 120 FT DEEP

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		S2NE	16	1S	25E	YELLOWSTONE

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** WELL

THERE ARE 54 WELLS WITHIN THE LAND DESCRIPTION FOR THE POINT OF DIVERSION AND PLACE OF USE.

**Purpose (Use):** MULTIPLE DOMESTIC

**Households:** 54

**Volume:** 21.17 AC-FT

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2NE	16	1S	25E	YELLOWSTONE

**Purpose (Use):** LAWN AND GARDEN

**Volume:** 95.88 AC-FT

**Period of Use:** MAY 1 to SEPTEMBER 30

**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	38.35		S2NE	16	1S	25E	YELLOWSTONE
<b>Total:</b>	38.35						

**Remarks:**

**IMPORTANT INFORMATION**

NOTIFICATION REQUIRED: THE APPROPRIATOR SHALL RECORD A DOCUMENT IN THE COURTHOUSE THAT SHALL NOTIFY ALL CURRENT AND FUTURE LAND OWNERS ON BLOCK 1 LOTS 1 THROUGH 5, BLOCK 2 LOTS 1 THROUGH 10, BLOCK 4 LOTS 1 AND 2, BLOCK 5 LOTS 1 THROUGH 7, BLOCK 6 LOTS 1

THROUGH 7 AND BLOCK 7 LOTS 4 THROUGH 23 THAT 1) ONLY ONE WELL MAY BE DRILLED ON EACH LOT; 2) THE WELL MUST BE NO DEEPER THAN 120 FEET BELOW GROUND SURFACE; 3) THAT WATER USE MUST BE MEASURED AND RECORDED AS DESCRIBED IN THIS PERMIT; 4) A COPY OF THE WELL LOG MUST BE SUBMITTED TO THE APPROPRIATOR; AND 5) A WATER RIGHT CANNOT BE OWNED BY A PRIVATE INDIVIDUAL, BUT MUST BE HELD IN THE NAME OF THE HOME OWNERS ASSOCIATION. THE APPROPRIATOR SHALL PROVIDE A COPY OF THE RECORDED DOCUMENT IDENTIFYING THESE RESTRICTIONS, FOR EACH LAND OWNER, TO THE WATER RESOURCES REGIONAL OFFICE BY JANUARY 31 OF EACH YEAR.

**IMPORTANT INFORMATION**

WELL LOGS: THE APPROPRIATOR SHALL REQUIRE THE LAND OWNER PROVIDE A COPY OF THE WELL LOG TO THE APPROPRIATOR WITHIN 90 DAYS OF COMPLETION OF THE WELL. THE APPROPRIATOR SHALL PROVIDE A COPY OF THE WELL LOG TO THE WATER RESOURCES REGIONAL OFFICE BY JANUARY 31 OF EACH YEAR.

**WATER MEASUREMENT INFORMATION**

THE APPROPRIATOR SHALL REQUIRE LAND OWNERS OF BLOCK 1 LOTS 1 THROUGH 5, BLOCK 2 LOTS 1 THROUGH 10, BLOCK 4 LOTS 1 AND 2, BLOCK 5 LOTS 1 THROUGH 7, BLOCK 6 LOTS 1 THROUGH 7 AND BLOCK 7 LOTS 4 THROUGH 23 TO INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE. WATER MUST NOT BE DIVERTED FROM THE WELL UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. THE APPROPRIATOR SHALL REQUIRE THE LAND OWNER KEEP YEARLY WRITTEN RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED FROM JANUARY 1 THROUGH DECEMBER 31. THE LAND OWNER WATER USE RECORDS SHALL BE COMPILED AND SUBMITTED TO THE DEPARTMENT BY JANUARY 31 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR.

FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE BILLINGS WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL ENSURE EACH MEASURING DEVICE IS MAINTAINED SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

**PUBLISHED IN:** BILLINGS GAZETTE ON APRIL 6, 2016.